



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Christopher H. Porter

Examiner : Aamer S. Ahmed
Art Unit: 3763

Applic.: 10/821,383

Filed: 04/09/2004

For: PERCUTANEOUSLY IMPLANTABLE
MEDICAL DEVICE CONFIGURED TO
PROMOTE TISSUE INGROWTH

Response to Advisory Action
Request for Continued Examination

Commissioner for Patents
Alexandria, VA 22313-1450

REMARKS

In response to the Advisory Action dated 08/11/2006, Applicants' undersigned attorney hereby requests favorable reconsideration of the subject Application.

The Office Action dated 05/05/2006 finally rejected claims 1-9 and 13-21 based primarily on EP0367354 ("de Groot"). As a consequence, Applicants' undersigned attorney requested a personal interview with Examiner Ahmed. The interview was held on 06/06/2006 and primarily involved a discussion of independent claims 1 and 16 and the cited de Groot reference.

During the interview, Applicants' representative pointed out that claim 1 recited a medical device having both longitudinal and lateral porous layers for promoting tissue ingrowth. As explained in Applicants' specification, this configuration forms an infection resistant barrier, provides effective anchoring, and avoids marsupialization. Applicants' claim 16 similarly recites a method of configuring a medical device to provide both longitudinally and laterally projecting porous layers.

In contrast, de Groot describes a percutaneous implant including only a laterally